

**CITY OF BROKEN ARROW
PLANNING COMMISSION MEETING
MINUTES
June 26, 2003**

The Planning Commission Agenda for this meeting was posted on June 20, 2003, at 1:30 p.m. on the City Hall Bulletin Board, 220 S. First Street.

1. The Broken Arrow Planning Commission met on Thursday, June 26, 2003, at 5:02 p.m.

2. Present: Robert Goranson, Chairman
Mike Lester, Commission Member
Johnnie Parks, Commission Member
Ricky Jones, Commission Member

Absent Renate Caldwell, Vice Chairperson

Staff Present: Farhad K. Daroga, City Planner
Brent Murphy, Ass't City Planner
Karl Fritschen, Staff Planner
Joyce Snider, Admin Ass't
April Parnell, Ass't City Attorney
Jeff Westfall, Engineering Dept

3. The Commission considered the minutes of the regular Planning Commission meeting held June 12, 2003. **Motion** by Mike Lester to approve the May 22, 2003, minutes as presented. The motion was seconded by Ricky Jones.

Yes: Jones, Parks, Lester, Goranson

No: None

Motion Approved

4. The Commission considered BAZ 1598, S & J Contractors, Inc., 0.62 acres, R-5 and C-3 to C-5, 521 and 605 West Lansing Street, south side of West Lansing Street, approximately 200 feet east of Elm Place, John C. R. Turner (Applicant). Farhad Daroga presented the background, saying this application was reviewed in two previous meetings and the applicant requested the item be continued to this meeting. He said the property to the north is R-5, and there is a single-family residence on the north, also to the west is a used car lot, there are duplexes on the east and the boardwalk shopping center is to the south.

Alan Hall, Hall, Rosenbaum & Associates, Inc., 1913 West Tacoma, Suite C, Broken Arrow, representing S & J Contractors, Inc., said the main building will stay, a home on the site will be razed, two small buildings are used to store hand tools and small items used on a day-to-day basis. One of those two building is hooked onto a building on an adjacent property, the Thompson Auto Mart, by an eight-inch fire wall and those two buildings were actually one building back in the 1960's. He said those buildings are nonconforming in regard to building line setbacks in the C-5 district and they will need to obtain variances from the Board of Adjustment if C-5 zoning is approved.

4A. continued

Mr. Hall said the intent is to rehabilitate the buildings and give them a more modern day look. He described how the area will be laid out conceptually and said the vehicles will be parked on the property. He asked the Commission to recommend approval of C-5 zoning. He said all the proper plans will be submitted and the property will be platted and pay fees in lieu of on storm water detention or take it offsite, whichever the City requires.

Mike Lester asked if there is residential use next to the proposed parking area and Mr. Hall said there is. Mike Lester asked if screening will be provided. Mr. Hall said they would be happy to provide six-foot screening and Mike Lester said eight-foot is required. Mr. Hall said they will also need to screen the property in the rear. Mike Lester asked if the existing house/office will be brought up to commercial standards. Mr. Hall said they aren't going to tear out the inner walls and install new wiring, bring in HVAC to 2003 standards. He said they plan on bringing up the outside and do as much inside work as possible. Mike Lester said all residences that are converted to commercial use are required to be brought up to commercial standards.

Farhad Daroga said the Building Codes are separate from the Zoning Code and neither the Planning Commission nor the Board of Adjustment can waive the Building Code requirements, only the City Council can do that. Alan Hall, after speaking to his client, said the building is being brought up to code and has new heating, air and wiring.

Johnnie Parks asked if there are utilities in the other buildings. Alan Hall said there is electricity for lighting and these buildings will be brought up to code, if necessary. Discussion followed. There were no protestants present.

Farhad Daroga said Staff recommends approval, subject to 1) The property being platted by the January 1, 2003, 2) Before construction begins a site plan needs to be approved by the Planning Commission and 3) The buildings be brought up to commercial standards.

Alan Hall objected to the platting deadline. Discussion followed.

Mike Lester asked about the trash enclosure in the lower right (southeast) corner of the drawing submitted. Alan Hall said that enclosure serves this property and can be moved, if necessary. Discussion followed.

The timing of forwarding of this project to the Board of Adjustment was discussed and Brent Murphy said until the property is rezoned it is in compliance with the Zoning Code. April Parnell said there is nothing to adjust until zoning to C-5 is approved.

Motion by Mike Lester to recommend approval of BAZ 1598 as recommended by Staff, with City Council approval the applicant to seek approval of variances on the outbuildings before the Board of Adjustment. The motion was seconded by Johnnie Parks.

Yes: Jones, Parks, Lester, Goranson

No: None

Motion Approved

Bob Goranson said the Commission is not approving a nonconforming lot, that the owner of this property is in violation of the Building Code and it is up to Code Enforcement to take action on those violations. He said BAZ 1598 will be heard by the City Council on July 21, 2003, at 7:30 p.m.

5. The Commission considered the Consent Agenda. Farhad Daroga reviewed each item on the Consent Agenda.

Motion by Mike Lester to approve the Consent Agenda, as recommended by Staff. The motion was seconded by Bob Goranson.

Yes: Jones, Parks, Lester, Goranson

No: None

Motion approved

- 5A. PT03-114, DN03-146, R. C. Dickenson Family YMCA preliminary plat, 15.6 acres, (PUD 117A/SP 173) southeast corner of Louisville Street and Garnett Road, Sack & Associates, Inc. (Engineer). The applicant was present. This item was approved as recommended by Staff.
- 5B. ST03-121, DN03-139, Popeye's Restaurant landscape plan, 1450 East Kenosha, Kenosha Crossing, PUD 92, Tom Duncan/KMO Development Group, Inc. (Applicant). The applicant was not present. This item was approved as recommended by Staff.
- 5C. ST03-124, DN03-147, Magnum Materials site and landscape plan, 8.13 acres, Lot 3, Block 1, Henshaw Industrial Park South, Crafton, Tull, Inc./Fleming Building Company (Applicant). The applicant was not present. This item was approved as recommended by Staff.
- 5D. ST03-125, DN03-149, R. S. Morris office/warehouse site plan, 1.6 acres, BAZ 792, Lot 2, Block 2, Henshaw Industrial Park South (West Albany, one-half mile east of Olive (129th E.) Avenue, Wallace Wozencraft (Applicant). The applicant was present. This item was approved as recommended by Staff.

6. **ITEMS REMOVED FROM CONSENT AGENDA**

None.

7. The Commission considered PUD 132A, DN02-160, C-5, Hancock Plaza mini-storage and office development southwest of the southwest corner of Albany Street (61st Street) and 9th Street (Lynn Lane/177th E. Avenue), Tulsa Engineering & Planning Associates, Inc. (Applicant). Farhad Daroga presented the background, saying PUD 132 was approved by the City Council in July 2002. He said the applicant is requesting clarification and modification pertaining to the south and west boundary adjoining the residential neighborhood – they are requesting reduction of the eight-foot privacy fence from eight feet to six feet. He said some of the residential neighbors have erected six-foot fences and the applicant does not want an eight-foot privacy fence next to it. He said the applicant is agreeable to the landscaping outlined in PUD 132.

Mike Lester asked if the developer will be responsible for building the fences on the vacant lots and Farhad Daroga said he is and he will suggest this be coordinated with the neighbors. He said Staff recommends approval of the request to allow the permitted uses of mini-storage and office. He said there will be no office rentals in the mini-storage building.

Tim Terral, Tulsa Engineering & Planning Associates, Inc., 8209 East 63rd Place South, Tulsa, representing the applicant, said the owner plans to build the entire fence, not to fill in the gaps where the residences have not built fences.

7. continued

Bob Hancock, 29507 East 62nd Street, said his intention is to fill in the fence because it has to be on the property line to avoid having an area that is not maintained and he would maintain that fence.

Mike Lester asked will the materials the sides of the building that abut residential areas be masonry and Tim Terral said only on the east side. Ricky Jones asked if the fence material used to infill will be the same as those used by the homeowners. Bob Hancock said it would, with metal posts and six-foot cedar pickets, with the posts facing his property.

Larry Parries, 2205 North 7th Street, said he disagreed with the six-foot fence and would like a larger setback between the residences and the mini-storage. Discussion followed regarding the purpose of buffers and landscaping.

Josh Marrick, 840 East Park Place, said when he was building his house, he was told there would be an eight-foot fence. He said if the builders are going to put up a fence he will take his down. Discussion followed.

Brent Murphy showed pictures of examples of fences between other mini-storage projects and residential areas.

Don Jones, 107 East Park Place, said he bought a Roland Home and was told by Phil Roland there would be an eight-foot fence. Discussion followed.

Bob Goranson discussed with the applicant and his representative the alternatives available, with comments by the Commission members. Mike Lester suggested that a piece of eight-foot high fence be shown to the homeowners so they will know how that will look. Mr. Hancock said he has no problem with that. April Parnell said the applicant will be responsible for whatever fence is there.

Ricky Jones said the Planning Commission can approve the eight-foot fence, the homeowners and Mr. Hancock can work out an agreement and that agreement can be presented to the City Council when PUD 132A is heard by the Council.

Johnnie Parks said he doubted consensus could be reached on the fence height, but he thought the Commission needs to stay with the original agreement. Further discussion followed. There were approximately five owners of adjoining property present.

Motion by Mike Lester to recommend approval of PUD 132A as recommended by Staff. The motion was seconded by Johnnie Parks.

Bob Goranson asked Farhad Daroga what the Staff recommendation was in regard to the fence. Mike Lester said the fence was not an issue in PUD 132A.

Bob Goranson called for the vote.

Yes: Jones, Parks, Lester, Goranson

No: None

Motion approved

Tim Terral said he understood the Staff recommendations were written so as to allow a six-foot fence.

Bob Goranson said the motion needs to be clarified.

7. continued

Farhad Daroga reviewed the following requested modifications:

1. Page 1, Permitted uses, rewrite as follows, “Mini-storage, retail uses related to the mini-storage, and general office uses.” – as requested by the applicant.
2. Page 1, Minimum Landscape Area, delete this section and maintain what was approved with PUD 132. (This will require applicant to provide 34 trees between the mini-storage buildings and the single-family residences.)
3. Page 1, Exterior building materials/building design, rewrite first sentence as follows, “The exterior of all building walls and fences adjacent to or along the east boundary of Tract B, with the exception of wrought iron entry gates, shall be constructed of masonry material.”
4. Page 2, Landscaping and Screening, delete last sentence.

Brent Murphy read the last sentence of Item No. 4: “Said buffer shall be maintained and provided a turf type ground covering to prevent erosion.” He said Staff had recommended the trees be installed, so, in conjunction with that, we are saying the last sentence should be deleted.

Tim Terral said these are in addition to what they submitted, so any part of the submittal not modified obtains and what they submitted was a six-foot fence. Discussion followed.

Motion by Ricky Jones to reconsider and amend the motion to include an eight-foot fence, rather than a six-foot fence. The motion was seconded by Johnnie Parks.

Yes: Jones, Parks, Lester, Goranson

No: None

Motion approved

Bob Goranson said PUD 132A will be heard by the City Council on July 21, 2003, at 7:30 p.m. Brent Murphy asked if the City Council meeting starts at 7:00 p.m. or 7:30 p.m. Farhad Daroga said the City Council is considering changing their regularly scheduled meeting time to 7:00 p.m.

8. The Commission considered BAZ 1603, 2.50 acres, A-1 to R-2, about one-fifth mile north of Washington (91st) Street and Lynn Lane (9th Street), Gerald E. Ruell (Applicant/Owner). Farhad Daroga presented the background, saying the applicant desires to build an additional house on this site.

Bob Goranson asked the applicant, Gerald Ruell, if he had anything he wished to add. He said he did not.

Motion by Mike Lester to recommend approval of BAZ 1603 as recommended by Staff. The motion was seconded by Ricky Jones.

Yes: Jones, Parks, Lester, Goranson

No: None

Motion approved

Bob Goranson said BAZ 1603 will be heard by the City Council on July 21, 2003, at 7:30 p.m.

9. **DISCUSSION ITEMS**

None.

10. **DISCUSSION ITEMS**

None.

11. **REMARKS, INQUIRIES AND COMMENTS BY PLANNING COMMISSION AND STAFF
(NO ACTION)**

None.

12. **Motion** by Mike Lester at 6:09 p.m. to adjourn. The motion was seconded by Ricky Jones.

Yes: Jones, Parks, Lester, Goranson

No: None

Motion approved